

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CONSTELLATION NEWENERGY, INC.	:	CIVIL ACTION
	:	
v.	:	
	:	
POWERWEB, INC.	:	NO. 02-2733

ORDER

AND NOW, this            day of August, 2004, it is hereby  
ORDERED that:

(1) the motion of plaintiff Constellation NewEnergy, Inc. ("NewEnergy") in limine to exclude speculative and unforeseeable damages relating to energy management services (Document #117) is GRANTED to the extent that Powerweb, Inc. is precluded from presenting evidence related to the eleven lost utility contracts. See this court's Memorandum and Order dated August 10, 2004 (Document #146); and

(2) the motion of plaintiff NewEnergy is otherwise DENIED without prejudice.

BY THE COURT:

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J.